

Serial No. 10/619,511

### **REMARKS**

The applicants note with appreciation the acknowledgement of the claim for priority under section 119 and the notice that all of the certified copies of the priority documents have been received.

Claims 1 – 16 are pending. Claims 5 – 6 have been withdrawn. The applicants respectfully request reconsideration and allowance of this application in view of the above amendments and the following remarks.

Claim 1 was rejected under 35 USC 102(b) as being anticipated by U.S. Patent 5,827,589, Auttersen ("Auttersen"). Claim 2 was rejected under 35 USC 103(a) as being unpatentable over Auttersen. Claim 3 was rejected under 35 USC 102(b) as being anticipated by U.S. Patent 5,931,800, Rasmussen ("Rasmussen"). Claim 4 was rejected under 35 USC 103(a) as being unpatentable over Rasmussen. The rejection is respectfully traversed for reasons including the following, which are provided by way of example.

As described in the application, the invention is directed to solving the problem of providing "a laminate sheet in which the surface smoothness of its adhesive layer can be kept even when the sheet is wound into a roll." (Specification page 3, lines 7 – 10.)

According to the claims, e.g., claim 1, the invention is directed to a laminate sheet. The laminate sheet comprises a long release sheet. An adhesive layer is in continuous contact and coextensive with the release surface of the release sheet. A base material has a first surface and a second surface, the first surface being opposite to the second surface, the first surface being in continuous contact and coextensive with the adhesive layer opposite to the long release sheet. A protective material is provided longitudinally on and in continuous contact with a generally peripheral portion of the base material, wherein the peripheral portion corresponds to a portion

Serial No. 10/619,511

other than a principally used portion of the adhesive layer. (E.g., claim 1; see also claim 3.) Thereby, "the surface smoothness of the adhesive layer is effectively kept when the laminate sheet is wound into a roll." (E.g., specification page 5, line 5 – 7.)

The office action cites Auttersson in rejecting claims 1 – 2. Without conceding that Auttersson discloses any feature of the present invention, Auttersson discloses a strap device as a laminate sheet which comprises release liner 30, adhesive layer 26 on the release liner 30, strap member 42 on the adhesive layer 26, contiguous adhesive layer 41 on the strap member 42, top release liner 40 on the contiguous adhesive layer 41, and tab 32 connecting with the top release liner 40 (e.g., Fig. 8). The office action cites Figure 8 of Auttersson as being most relevant. According to Auttersson, e.g., Fig. 8, the tab 32 projects from the strap member 42.

The office action asserts that Auttersson discloses the invention as claimed. To the contrary, Auttersson fails to teach or suggest the invention, as presently claimed, when the claims are considered as a whole. Auttersson fails to teach or suggest, for example, "a base material ... being in continuous contact and coextensive with the adhesive layer opposite to the long release sheet." Further, Auttersson fails to teach or suggest "a protective material provided longitudinally on and in continuous contact with a generally peripheral portion of the second surface of the base material ...." (See, e.g., claim 1.) To the contrary, Auttersson teaches that the protective material, e.g., tab 32, is not in continuous contact with the second surface. Further, Auttersson teaches that the base material, e.g., 42, does not have a surface in continuous contact and coextensive with the adhesive layer. (See, e.g., Fig. 8.)

Auttersson cannot provide, in combination, the base material in continuous contact with the adhesive layer opposite to the long release sheet, or the protective material in continuous

Serial No. 10/619,511

contact with a generally peripheral portion of the second surface of the base material, as further recited in claim 1.

Auttersson fails to teach or suggest, for example, these elements recited in independent claim 1. It is respectfully submitted therefore that claim 1 is patentable over Auttersson.

The office action cites Rasmussen in rejecting claims 3 – 4. Rasmussen discloses a wound dressing delivery system 10 as a sheet which comprises release liner 58, adhesive layer 30 on the release liner 58, film 22 on the adhesive layer 30, and protective cover 16 on the film 22. (E.g., Figs. 2, 3.) Tab 46 is adhered to the underside of the adhesive layer through adhesive strip 38 at one side of the wound dressing delivery system. Second adhesive strip 52 is adhered to the underside of the adhesive layer 30 at the other wide of the wound dressing delivery system. The release liner 58 covers the tab 46 and the second adhesive strip 52.

With respect to claims 3 and 4, the office action asserts that Rasmussen discloses the invention as claimed. To the contrary, Rasmussen fails to teach or suggest the invention, as presently claimed, when the claims are considered as a whole. Rasmussen fails to teach or suggest, for example, “an adhesive layer in continuous contact and coextensive with the release surface of the release sheet.” In addition, Rasmussen fails to teach or suggest that the protective material is “provided ... in continuous contact” with a particular layer. Moreover, Rasmussen fails to teach or suggest that the protective material is provided on a back surface “of the release sheet,” where the release sheet has “an adhesive layer in continuous contact and coextensive with the release surface of the release sheet.” Furthermore, it appears that the protective material is not “provided longitudinally” on the release sheet. (See, e.g., claim 3.) To the contrary, the adhesive layer 30 is not “in continuous contact and coextensive with the release surface of the

Serial No. 10/619,511

release sheet" 16, and the protective material 66 is not "in continuous contact with ... the back surface of the release sheet".

Rasmussen fails to teach or suggest, for example, these elements recited in independent claim 3. It is respectfully submitted therefore that claim 3 is patentable over Rasmussen.

For at least these reasons, the combination of features recited in independent claims 1 and 3, when interpreted as a whole, is submitted to patentably distinguish over the prior art. In addition, Auttersson and Rasmussen clearly fail to show other claimed features as well.

With respect to the rejected dependent claims, applicant respectfully submits that these claims are allowable not only by virtue of their dependency from independent claims 1 and 3, but also because of additional features they recite in combination.

New claims 7 – 16 have been added to further define the invention, and are believed to be patentable for reasons including these set out above.

The applicants respectfully submit that, as described above, the cited prior art does not show or suggest the combination of features recited in the claims. The applicants do not concede that the cited prior art shows any of the elements recited in the claims. However, the applicants have provided specific examples of elements in the claims that are clearly not present in the cited prior art.

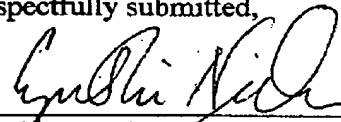
The applicants strongly emphasize that one reviewing the prosecution history should not interpret any of the examples the applicants have described herein in connection with distinguishing over the prior art as limiting to those specific features in isolation. Rather, for the sake of simplicity, the applicants have provided examples of why the claims described above are distinguishable over the cited prior art.

Serial No. 10/619,511

In view of the foregoing, the applicants respectfully submit that this application is in condition for allowance. A timely notice to that effect is respectfully requested. If questions relating to patentability remain, the examiner is invited to contact the undersigned by telephone.

Please charge any unforeseen fees that may be due to Deposit Account No. 50-1147.

Respectfully submitted,



Cynthia K. Nicholson

Reg. No. 36,880

Posz Law Group, PLC  
11250 Roger Bacon Drive, Suite 10  
Reston, VA 20190  
Phone 703-707-9110  
Fax 703-707-9112  
Customer No. 23400